

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JONATHAN GERSTEMEIER	:	CIVIL ACTION
	:	
v.	:	No. 17-1838
	:	
ATTORNEY GENERAL JOSH	:	
SUPERIOR, et al.	:	

**ORDER**

AND NOW, this 22nd day of May, 2017, upon careful and independent consideration of Petitioner Jonathan Gerstemeier's pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and upon de novo review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation (Document 3) is APPROVED and ADOPTED;
2. Gerstemeier's petition for writ of habeas corpus (Document 1) is DISMISSED WITHOUT PREJUDICE;
3. A certificate of appealability shall not issue, as Gerstemeier has failed to show that jurists of reason would find it debatable whether the procedural and substantive rulings adopted herein are correct; and
4. The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.

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<sup>1</sup> The Report and Recommendation was sent to all parties of record on May 2, 2017, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof."). As of today's date, no objections have been filed.

